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Message Text

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ACTION L-03

INFO OCT-01 IO-13 ISO-00 AF-10 ARA-10 EA-10 EUR-12
NEA-10 CIAE-00 INR-10 NSAE-00 DOE-15 ACDA-12
DODE-00 PM-05 NASA-01 NSC-05 SOE-02 SS-15 OES-07
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P 041054Z APR 78
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 7924
INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 04972

E.O. 11652:GDS
TAGS: TSPA, UN, UR
SUBJ: OUTER SPACE LEGAL SUBCOMMITTEE - REMOTE SENSING

REF: STATE 036708

1. SUMMARY. WORKING GROUP AND MINIGROUP ON REMOTE SENSING CONTINUED TO MEET AND DISCUSS REMAINING PRINCIPLES ALONG WITH SIX WORKING PAPERS AND ADDITIONAL PROPOSED MODIFICATIONS TO EACH. COLOMBIA AND ECUADOR EXPRESSED STRONG OPPOSITION TO THE UNSIGNED DOCUMENT ON THE GSO.

2. THE TEXTS OF THE ADDITIONAL WORKING PAPERS SUBMITTED TO THE WORKING GROUP FOR ITS CONSIDERATION ARE AS FOLLOWS:

WP #3, MEXICO. QUOTE. PRINCIPLE... PRIOR TO THE INITIATION OF ACTIVITIES IN FIELD OF REMOTE SENSING, STATES PLANNING TO CONDUCT SUCH ACTIVITIES MUST NOTIFY THE SENSED STATES OF SUCH PLANS, IF SUCH ACTIVITIES RELATE TO THE NATURAL RESOURCES OF THE SENSED STATE.

QUOTE. PRINCIPLE XI. SENSED STATES HAVE THE RIGHT TO
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RECEIVE PRIMARY DATA AND ANALYZED INFORMATION RESULTING FROM ACTIVITIES OF REMOTE SENSING OF THEIR NATURAL RESOURCES OBTAINED BY THE STATE CONDUCTING SUCH ACTIVITIES. SENSED STATES SHOULD ALSO HAVE ACCESS TO ALL OTHER ANALYZED DATA RELATING TO THEIR NATURAL RESOURCES. UNQUOTE.

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WP #4, AUSTRIA. QUOTE. ANY DISPUTE THAT MAY ARISE FROM ACTIVITIES IN THE FIELD OF REMOTE SENSING OF THE EARTH FROM OUTER SPACE SHOULD BE RESOLVED BY PROMPT CONSULTATIONS AMONG THE PARTIES TO THE DISPUTE. WHERE A MUTUALLY ACCEPTABLE RESOLUTION CANNOT BE ACHIEVED BY SUCH CONSULTATIONS, IT SHOULD BE SOUGHT THROUGH OTHER ESTABLISHED PROCEDURES FOR THE PEACEFUL SETTLEMENT OF DISPUTES. UNQUOTE.

WP #5, AUSTRIA. QUOTE. A STATE INTENDING TO CONDUCT REMOTE SENSING ACTIVITIES OF THE EARTH FROM OUTER SPACE SHALL NOTIFY THE SECRETARY-GENERAL OF THE UNITED NATIONS, TO THE GREATEST EXTENT FEASIBLE AND AS SOON AS PRACTICABLE OF THE INTENDED TIME, DURATION AND COVERAGE OF SUCH ACTIVITIES. THE SECRETARY-GENERAL SHALL PROMPTLY TRANSMIT THE INFORMATION THUS RECEIVED TO THE STATES, THE TERRITORY OF WHICH COULD BE COVERED BY SUCH ACTIVITIES. UNQUOTE.

WP #6, JAPAN. QUOTE. PRINCIPLE X. STATES SHOULD BEAR INTERNATIONAL RESPONSIBILITY FOR ACTIVITIES OF REMOTE SENSING OF THE EARTH CARRIED OUT BY THEM OR UNDER THEIR JURISDICTION AND FOR THE CONFORMITY OF ANY SUCH ACTIVITIES WITH THE PROVISIONS OF THESE PRINCIPLES. UNQUOTE.

3. COLOMBIA AND ECUADOR BEGAN THE PLENARY SESSION ON CONFIDENTIAL

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MARCH 31 WITH A STRONG ATTACK ON THE EXISTENCE OF AN UNSIGNED DOCUMENT BEING CIRCULATED ON THE GSO. THEY CALLED THE PROCEDURE HIGHLY UNUSUAL, IRREGULAR AND PORTRAYING A ONE-SIDED POINT OF VIEW. THE CHAIRMAN WAS REQUESTED TO CORRECT THIS IRREGULAR PROCEDURE. THE USSR RESPONDED THAT THE PAPER WAS A WP, NOT A DOCUMENT, PROCEDURE QUITE IN ORDER, REGRET DISREGARD WITH WHICH COLOMBIA AND ECUADOR TREATED PAPER, PAPER MAY EVENTUALLY BECOME A DOCUMENT, AND QUITE WITHIN WELL ESTABLISHED PROCEDURE. BULGARIA AND CZECHOSLOVAKIA CAME TO USSR SUPPORT WHILE KENYA JOINED WITH COLOMBIA. THE CHAIRMAN ESSENTIALLY DEFENDED THE USSR POSITION. ITALY NEXT SPOKE ON REMOTE SENSING AND REITERATED THAT THERE IS NO SCIENTIFIC OR TECHNICAL BASIS FOR A SECOND STATE TO CONTROL INFORMATION ABOUT ITSELF, YET THERE IS A CONSTANT OPINION BY MANY DELS THAT A SENSED STATE SHOULD HAVE IMMEDIATE ACCESS TO SENSED DATA AND THE RIGHT TO DETERMINE ITS DISPOSITION. ITALY'S REPEATED POSITION IS THAT NO RESTRICTION BE PLACED ON DISSEMINATION OF DATA AND THAT IT BE AVAILABLE ON A FAIR AND EQUITABLE BASIS WITH THE INTENT OF IMPROVING INTERNATIONAL COOPERATION. DATA MUST BE AVAILABLE TO ALL STATES. MEXICO REASSERTED THAT REMOTE

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SENSING SHOULD BE CONDUCTED THROUGH A SYSTEM OF PRIOR CONSENT OF SENSED STATES HOWEVER THAT SOMETHING REASONABLE AND NOT EXAGGERATED IN TERMS OF PRINCIPLES SHOULD BE DEVELOPED. THE US DEL THEN MADE THE FOLLOWING POINTS:

A. TECHNICAL INFORMATION ON RS IS CONTAINED IN S&T REPORT, AND IT WOULD BE VERY USEFUL FOR DELS TO AVAIL THEMSELVES OF APPROPRIATE FACTS.

B. REVIEW OF LANDSAT OPERATIONAL HISTORY AND SOME TECHNICAL DETAILS.

C. ALL DATA COLLECTED FROM LANDSAT AND SKYLAB HAVE

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INFO OCT-01 IO-13 ISO-00 AF-10 ARA-10 EA-10 EUR-12
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BEEN PUBLISHED.

D. BEFORE US LAUNCHED LANDSAT SYSTEMS, FACT WAS MADE KNOWN AND ANNOUNCEMENTS OF OPPORTUNITY FOR EXPERIMENTS WERE MADE A YEAR IN ADVANCE.

E. MORE THAN 250 SCIENTISTS IN 47 COUNTRIES HAVE PARTICIPATED.

F. DATA IS FURNISHED TO SCIENTISTS FREE OF CHARGE BUT WITH RESTRICTIONS ON DISSEMINATION AND REQUIREMENT THAT RESULTS BE PUBLISHED.

G. ALL PRIMARY DATA AND FINAL RESULTS OF PUBLISHED EXPERIMENTS ARE EQUALLY AVAILABLE TO ALL.

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H. A REITERATION OF A NUMBER OF THE POSITIVE BENEFITS FOR VARIOUS COUNTRIES.

I. US HAS NO OBJECTION TO NOTIFICATION ON A GENERAL BASIS.

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J. CANNOT CONTROL OTHERS AND THEIR USES OF THE DATA.

K. WE ARE YET TO BE MADE AWARE OF FIRST INSTANCE IN WHICH THE AVAILABILITY OF DATA HAS HAD AN ADVERSE IMPACT ON ANY COUNTRY.

NIGERIA AGAIN PRESSED FOR PRIOR CONSENT OF DATA DISSEMINATION REPEATEDLY ARGUING THAT IT MAY OR COULD BE HARMFUL TO THE SENSED COUNTRY. MEXICO CAME BACK WITH A MORE SOFTENED APPROACH ATTEMPTING TO ESTABLISH A MINIMUM ON THE INFORMATION TO BE SUPPLIED TO THE SENSED STATE TO ALLOW ENJOYMENT OF THE BENEFITS. USSR POINTED OUT THAT THE TECHNICALITIES OF AN RS SYSTEM ESSENTIALLY PRECLUDE A PRIOR NOTIFICATION TO ANY STATE BEFORE PICTURES MIGHT BE TAKEN OF THE STATE IN A SYSTEM LIKE LANDSAT. ATTEMPTS WERE MADE BY CHILE TO COMPROMISE BY SUGGESTING THAT EXCEPTIONS COULD BE MADE ON DISTRIBUTION OF INFORMATION IF IT PERTAINED TO NATURAL DISASTER. US AND USSR RESPONDED THAT SUCH INFORMATION CANNOT BE CLEARLY SEPARATED IN PRIMARY DATA.

4. THE MINIGROUP MET IN LATE AFTERNOON. NO CONCLUSIONS WERE REACHED ON ANY OF THE WORKING PAPERS OR AMENDED TEXTS. FURTHER MEETINGS OF THE MINIGROUP AND WORKING GROUP WILL BE HELD INCLUDING AT LEAST ONE LATE EVENING SESSION SO AS TO FINALIZE THE REPORT OF THE WORKING GROUP ON REMOTE SENSING. VANDEN HEUVEL

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Type: TE
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